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PHASE II - BERNARD GUTER
RESPONSE
MAY 22 1997

\$ 0300



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
FILING COMPLETION UNDER RULE 53(d)/60(d)/62(d)

(NOT PCT Applications)
For Design, Provisional or Utility Applications

PATENT
APPLICATION

COMPLETION Under
Rule 53(d)(1) or (2), 60(d) or 62(d)

In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): ZEICHER

Appln. No.: 08 807,500
Series Code ↑ Serial No. ↑

Atty. Dkt. 236007 P.ZCOM.01/US C
M# Client Ref

Filed: February 27, 1997
Title: NUCLEOTIDE SEQUENCE FOR TREATING
CANCER AND INFECTION

(Our Deposit Account No. 03-3975)
(Our order No. 70401)

C# M#

Date: August 29, 1997

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:
The following completes the filing under Rule 53(d)/60(d)/62(d) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and
"X" box 2A only if top box of the Declaration is X'd and file application copy, or
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
a. ☐ Abstract
b. # pages of Specification (only spec. & claims)
c. ☐ Drawing Fig(s).

4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|--------------------|-----------------|-------------|
| (1) 08/448,590 | September 28, 1995 | (2) | |
| (3) | | (4) | |
| (5) | | (6) | |

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in BELGIAN

| Applicati n N . | Filing Dat | Applicati n N . | Filing Dat |
|-----------------|-------------------|---------------------|-------------------|
| (1) 09201087 | D c mber 10, 1992 | (2) PCT/BE/93/00080 | Dec mber 10, 1993 |
| (3) | | (4) | |
| (5) | | (6) | |

Completion Under Rule 53(d)/60(d)/62(d)

9. _____ (No.) Certified copy (copies): ☐ attached; ☒ previously filed (date) _____
in U.S. Application No. PCT/BE/93/00080 filed on December 10, 1993
10. ☒ Attached: 1 (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11. ☐ Attached:
12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

| | | | | Large/Small Entity | | Fe C de |
|---|----|------------|---|-----------------------|----------------|------------|
| 13. Basic Filing Fee Design Application | | | | \$320/\$160 | | 106/26 |
| Not Design Application | | | | \$770/\$385 | +385 | 101/201 |
| 14. Total Effective Claims | 27 | minus 20 = | 7 | x \$22/\$11 | +77 | 103/203 |
| (Base this ♂ on claims <u>as amended</u> to effect CIP if this is a Rule 62(d) completion) | | | | | | |
| 15. Independent Claims | 1 | minus 3 = | 0 | x \$80/\$40 | +0 | 102/202 |
| 16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application) | | | | \$260/\$130 | +0 | 104/204 |
| 17. Surcharge for filing Declaration/filing fee late | | | | \$130/\$65 | +65 | 105/205 |
| 18. FILING FEE ENCLOSED = | | | | | \$527 | |
| 19. Original due date: July 16, 1997 | | | | | | |
| 20. P tition is hereby made to extend the <u>original</u> due date to | | | | (1 mo) | \$110/\$55 = | +195 |
| cover the date this response is filed for which the requisite fee | | | | (2mos) | \$390/\$195 = | 115/215 |
| is attached | | | | (3mos) | \$930/\$465 = | 116/216 |
| | | | | (4mos) | \$1470/\$735 = | 117/217 |
| 21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee | | | | \$130 | +0 | 118/218 |
| 22. If "assignment" box 5 is X'd, add recording fee. | | | | \$40 | +40 | 139 |
| 23. Attached is a Rule 47 Petition and Petition Fee (per Rule 17(h)) | | | | \$130 | +0 | 581 |
| 24. TOTAL FEE ENCLOSED = | | | | \$762 | | 122 |

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

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Cushman Darby & Cushman
Intellectual Property Group of
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By: Atty: Carl G. Love

Sig: 

Reg. No. 18781

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NOTE: Fil in duplicate with PTO r ceipt (CDC-103A) and attachm nts